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9 Attorneys for Defendant
APPLE INC.

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN JOSE DIVISION**

15 DOMINIQUE CAVALIER, and KILEY
16 KRZYZEK, individually and on behalf of all
others similarly situated,

17 Plaintiffs,

18 v.

19 APPLE INC.,

20 Defendant.

Case No. 5:25-cv-713-PCP

**STIPULATION AND [PROPOSED]
ORDER EXTENDING RESPONSIVE
PLEADING DEADLINE AND
SETTING BRIEFING SCHEDULE**

Judge: Hon. P. Casey Pitts
Magistrate Judge: Virginia K. DeMarchi

Complaint Filed: January 21, 2025

1 Pursuant to Civil Local Rule 6-2, Plaintiffs Dominique Cavalier and Kiley Krzyzek
2 (“Plaintiffs”) and Defendant Apple Inc. (“Apple”), by and through their undersigned counsel,
3 stipulate as follows:

4 WHEREAS, Plaintiffs filed the Class Action Complaint (“Complaint”) on January 21, 2025
5 (ECF No. 1);

6 WHEREAS, Apple was served with a copy of the Complaint on January 23, 2025;

7 WHEREAS, under Federal Rule of Civil Procedure 12, Apple’s deadline to respond to the
8 Complaint is February 13, 2025;

9 WHEREAS, the parties have agreed that the deadline for Apple to respond to the Complaint
10 shall be extended by sixty (60) days, until April 14, 2025;

11 WHEREAS, an extension to and including April 14, 2025 will allow Apple time to analyze
12 the allegations in the Complaint;

13 WHEREAS, the parties have agreed that Plaintiffs will have thirty (30) days, until May 14,
14 2025, to file an opposition to Apple’s responsive pleading;

15 WHEREAS, the parties have agreed that Apple will have twenty-one (21) days, until June 4,
16 2025, to file a reply in support of Apple’s responsive pleading;

17 WHEREAS, this is the first extension requested in this case;

18 WHEREAS, the extension of time for Apple to respond to the Complaint and the responsive
19 pleading briefing schedule will not alter the date of any event or deadline fixed by the Court;

20
21 THEREFORE, IT IS HEREBY AGREED AND STIPULATED that:

- 22 1. Apple’s deadline to respond to Plaintiffs’ Complaint shall be extended by sixty (60)
23 days, until April 14, 2025.
- 24 2. Plaintiffs will have thirty (30) days, until May 14, 2025, to file an opposition to Apple’s
25 responsive pleading.
- 26 3. Apple will have twenty-one (21) days, until June 4, 2025, to file a reply in support of
27 Apple’s responsive pleading.

1 IT IS SO STIPULATED.

2
3 Dated: February 12, 2025

MORRISON & FOERSTER LLP

4
5 By: /s/ William F. Tarantino
6 WILLIAM F. TARANTINO

7 Attorneys for Defendant
8 APPLE INC.

9 Dated: February 12, 2025

CLARKSON LAW FIRM, P.C.

10
11 By: /s/ Yana Hart
12 YANA HART

13 Attorneys for Plaintiffs
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15 **ECF ATTESTATION**

16 I, William F. Tarantino, am the ECF User whose ID and password are being used to file this
17 document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that Yana Hart has
18 concurred in this filing.
19

20
21 Dated: February 12, 2025

MORRISON & FOERSTER LLP

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23 By: /s/ William F. Tarantino
24 WILLIAM F. TARANTINO

25 Attorneys for Defendant
26 APPLE INC.
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[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated:

HON. P. CASEY PITTS
UNITED STATES DISTRICT JUDGE